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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/519,413	03/03/2000	George Francis DeStefano	ROC920000010	7577

7590

02/11/2004

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EXAMINER

VU, KIEU D

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/519,413

Applicant(s)

DESTEFANO ET AL.

Examiner

Kieu D Vu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The prosecution of this application was suspended waiting for the publication of a relevant reference. The relevant reference has become available; therefore, the prosecution of the application is re-opened. An action follows herewith.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-3, 6-7, and 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Fang (USP 6628311).

Regarding claims 1 and 9, Fang teaches a method for providing dynamic assistance for disabled user interface resources comprising the steps identifying code for disabling controls (col 1, lines 37-43); changing a state of identified code from disabled to disabled with assistance (col 1, lines 43-46); providing assistance text to explain why control is disabled (col 1, lines 46-48) and providing code for correcting a condition for disabling control (col 1, lines 48-61).

Regarding claims 2 and 10, Fang teaches the displaying an assistance icon for viewing by a user in responsive to said change state of said identified code to disabled with assistance state (help icon 26 of Fig. 2a; col 1, lines 43-46).

Regarding claims 3 and 11, Fang teaches the identifying a user selection of said assistance icon and displaying said assistance text (col 1, lines 46-48; Fig. 2a-2b).

Regarding claim 6, Fang teaches the including the step of displaying a help text for viewing by a user (Fig. 3a).

Regarding claim 7, Fang teaches the step of providing an assistance icon with said identified code, said assistance icon for viewing by a user in a context menu of available actions for user selected items (Fig. 3a).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-5, 8, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fang.

Regarding claims 4-5 and 12, Fang teaches the adjustment of the display control 16 and executing an action on eligible items (change from Duplex/Booklet to Side Binding) (col 1, lines 48-60). Fang does not teach that the adjustment is performed by selecting a button. However, an Office Notice is taken that the feature of selecting a button to execute an action is well known in the art. It would have been obvious to one of ordinary skill in the art, having the teaching of Fang before him at the time the invention was made, to modify the interface system taught by Fang to include a button,

upon selection, to execute an action (for example, change items in the interface) with the motivation being to enable the user to quickly and conveniently change items.

Regarding claim 8, Fang teaches a system for providing dynamic assistance for disabled user interface resources comprising the steps identifying code for disabling controls (col 1, lines 37-43); changing a state of identified code from disabled to disabled with assistance (col 1, lines 43-46); providing assistance text to explain why control is disabled responsive to said change state of said identified code to disabled with assistance (col 1, lines 46-48) providing code for correcting a condition for disabling control (col 1, lines 48-61), displaying an assistance icon for viewing by a user (help icon 26 of Fig. 2a; col 1, lines 43-46), identifying a user selection of said assistance icon and displaying said assistance text (col 1, lines 46-48; Fig. 2a-2b), adjusting the display control 16 and executing an action on eligible items (change from Duplex/Booklet to Side Binding) (col 1, lines 48-60). Fang does not teach that the adjustment is performed by selecting a button. However, an Office Notice is taken that the feature of selecting a button to execute an action is well known in the art. It would have been obvious to one of ordinary skill in the art, having the teaching of Fang before him at the time the invention was made, to modify the interface system taught by Fang to include a button, upon selection, to execute an action (for example, change items in the interface) with the motivation being to enable the user to quickly and conveniently change items.

6. Applicant's arguments filed 04/21/03 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2173

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232).

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-872-9306

and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

02/06/04



**CAO (KEVIN) NGUYEN
PRIMARY EXAMINER**